

## REMARKS

Applicant wishes to thank the Examiner for the courtesy extended in the interview of August 19, 2003. In the Office Action dated August March 31, 2003, claims 1-25 are pending in the application. Claims 26-28 were added above. Applicant respectfully requests the Examiner for reconsideration.

Claims 1-3, 5-9, 12, 13, 15-18 and 24 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Teleskivi* (4,282,687).

Claim 1 has been amended to clarify that the void is defined by the first sheet of fire resistant material, the second sheet of fire resistant material, and the spacers. The fire resistant material is further defined as a fiber strengthened composite. Support for this is found in paragraph 21. The fiber strengthened composite may be fiberglass in a mat form or other material suitable for strengthening gypsum such as paper which has wood fibers. The reference to the spacer has been clarified to recite a plurality of spaced apart spacers. Each of the independent claims has been amended to clarify the position and constituents of the void or voids.

The *Teleskivi* reference is related to a fire resistant structure such as a fire door. The structure generally has many sections. The bulk of the sections include only one layer of sheet material positioned in the center of the door as shown in the lower portion of Fig. 2. However, the *Teleskivi* reference also has a lock portion L that is reinforced by sandwiching a plurality of gypsum sheets 28 together for support. However, the entire door is not formed in this construction. The *Teleskivi* reference does not include voids that are formed between sheets of insulating material and spacers. As mentioned above, in the bulk of the door only one sheet of insulating

material is used. In the lock portion of the door, denoted by L, no voids are formed so as to reinforce the door where the lock is fastened. The *Teleskivi* reference also does not include 2 layers of fiber strengthened material having voids therebetween.

Each of the claims recites the void and the position thereof within the door. Applicant also believes that if the door were constructed solidly from several layers of gypsum board as illustrated in the lock posture, the door would be undesirably heavy. With the single layer construction portion the door is unlikely to meet fire testing specifications. Therefore, since no teaching or suggestion is provided in the *Teleskivi* reference for such a construction, applicants respectfully request the Examiner for reconsideration.

With respect to the new claims 26-28, the *Teleskivi* reference does not include two layers of gypsum based material defining a void.

Claims 4 and 14 stand rejected under 35 USC 103(a) as being unpatentable over *Teleskivi* (4,282,687). For the same reasons set forth above, applicant believes these claims are also allowable.

Claims 10, 11, 19, 20-23 and 25 stand rejected under 35 USC 103(a) as being unpatentable over *Teleskivi* (4,282,687) in view of Roberts. The Roberts reference is directed to a wall and is not believed to be relevant. The new limitations to the fiber strengthened material are also believed not to be taught or suggested in these references.

In light of the above remarks, applicant submits that all rejections are now overcome. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments

which would place the application in better condition for allowance, the Examiner is respectfully requested to call the undersigned attorney.

Please charge any fees associated with this amendment to Deposit Account 50-0476

Respectfully submitted,

  
Kevin G. Mierzwa, Reg. No. 38,049  
Attorney for Applicant

Date: 8/21/03

Artz & Artz, PC  
28333 Telegraph Road, Suite 250  
Southfield, Michigan 48034  
(248) 223-9500